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1878

REPORT
OF THE
COMMISSION

APPOINTED TO
INQUIRE INTO THE EXPEDIENCY OF REVISING THE SYSTEM
OF ADMINISTRATION

OF THE
PUBLIC CHARITIES

OF THE
COMMONWEALTH,

DECEMBER, 1877.

BOSTON:
Rand, Aberg, & Co., Printers to the Commonwealth,
117 FRANKLIN STREET.
1878.

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Commonwealth of Massachusetts.

TO HON. HENRY B. PEIRCE, *Secretary of the Commonwealth.*

CHAPTER FIFTY-NINE of the Resolves of the year one thousand eight hundred and seventy-seven is as follows : —

“*Resolved*, That the Governor and Council be and they are hereby authorized to appoint a commission consisting of three persons, to sit during the recess of the Legislature, with authority to call witnesses, to inquire into the expediency of revising the system of administration of the public charities and reformatory institutions of the Commonwealth, and all the existing statutes in regard to pauperism, crime, and insanity, with a view to secure greater simplicity, economy, and efficiency in said administration. Said commission shall submit its report in writing, with bill or bills if practicable, to the Secretary of the Commonwealth, before or on the twentieth day of December next, on which day the commission shall expire. The Secretary of the Commonwealth shall cause the report to be printed as a document of the public series, to be laid before the next General Court, and a sufficient number of copies to be printed to allow the Secretary to transmit one copy to each member of the present Legislature, in addition to the distribution of such documents now prescribed by law.

“Approved May 4, 1877.”

The Commission was constituted by our appointment; and we respectfully beg leave to submit the following

REPORT.

The first meeting, at which an organization was effected, was held on the twenty-ninth day of August. Since that time we have held numerous hearings, all of which have been of an informal nature; and an opportunity was offered to all the inspectors, trustees, and superintendents of the various State institutions, to confer with us in relation to the present system of administering the affairs of the several institutions under their care. We also invited the views of past and present members of the Board of State Charities, the Commissioners of Prisons, the several Advisory Boards of Women, and also gentlemen whose large acquaintance and experience with our system of public charities we felt would be of great value and aid in our investigations. Nearly all of the above availed themselves of the opportunity offered, and all gave expression to the opinions they held in the most thoughtful and satisfactory manner. We have also visited most of the institutions of the State, and have endeavored to make as complete an investigation into "the system of administration of the public charities and reformatory institutions of the Commonwealth" as was possible in the limited time at our disposal.

We have confined ourselves, in our investigations, entirely to the system of public relief, as administered by the State in its several institutions. We have felt that this was a subject that should be most carefully considered, that all its imperfections and inconsistencies should receive the utmost care, and any changes should be only for the best of reasons and for the highest interests of the State.

DESCRIPTION OF THE PRESENT SYSTEM.

A brief statement concerning the existing mode of administration of our public charitable institutions is neces-

sary, in order that the anomalous condition of the system may be rightfully understood. The public institutions of the State at the present time are, the Lunatic Hospitals at Worcester, Taunton, Northampton, and Danvers; the Reform School for Boys at Westborough; the Industrial School for Girls at Lancaster; the Primary School at Monson; the Almshouse at Tewksbury; the Workhouse at Bridgewater; the State Prison; and the Reformatory Prison for Women at Sherborn. Each of the four lunatic hospitals is under the control of a board of five trustees, who select a superintendent, treasurer, and all necessary officers, and, subject to the approval of the Governor and Council, fix and determine all salaries. Each board is a corporation for the purpose of holding trusts and for other purposes. Each hospital has a treasurer, who receives and disburses all the funds, the Commonwealth paying to each the amount due for the board of State patients only, at a price fixed by law.

The State Reform and the State Industrial Schools are managed by boards of trustees, the former with seven members, and the latter with ten, appointed by the Governor and Council. These boards select their superintendents, and, subject to the approval of the Governor and Council, prepare by-laws, and fix and determine salaries. A treasurer is appointed for each school, by the Governor and Council. These boards receive no compensation, but are allowed all expenses incurred in the discharge of their duties. The Primary School at Monson, the Almshouse at Tewksbury, and the Workhouse at Bridgewater, are each managed by a board of three inspectors, appointed by the Governor and Council, who have certain limited duties, and each receive a compensation of \$160 per annum. The superintendents of each of these institutions are appointed by the Governor and Council, and their duties relate to the management of the several institutions, dis-

bursement of the appropriations, &c. The State Prison is managed by a board of three inspectors, appointed by the Governor and Council who also appoint the warden, chaplain, and physician; and also approve the rules and regulations made by the inspectors, before they have any force. They each receive \$200 per annum as compensation. The Reformatory Prison for Women is managed by the Commissioners of Prisons (who have other duties in connection with the county jails and houses of correction). The superintendent, treasurer and steward, chaplain, and physician, are appointed by the Governor and Council.

In addition to the above, there are several independent boards: viz., the Board of State Charities, consisting of seven members, including the secretary and general agent, appointed by the Governor and Council, and having certain advisory and supervisory powers; the Commissioners of Prisons, consisting of three members, appointed by the Governor and Council, and who, after their appointment, elect a secretary, who also becomes a member of the Board; the Advisory Board of Women to the Commissioners of Prisons, appointed by the Governor and Council, who have certain advisory powers, and are required to visit all jails and houses of correction where women are committed; and the Advisory Board of Women to the Inspectors of the Almshouse, the Primary School, and the Trustees of the Reform School, who are required by law to visit each of the three institutions at stated times, and to report to the Board of State Charities, and the Legislature. These several boards (with the exception of the secretary and general agent of the Board of State Charities, and secretary of the Commissioners of Prisons) receive no compensation, but are allowed actual expenses. The Governor and Council, the Legislative Committees on Public Charitable Institutions and Prisons, are also *ex-officio* supervisors of the several institutions.

In a word, the government of the institutions may be classified as follows:—

EXECUTIVE OFFICERS.

Superintendents of Institutions	11
General Agent Board of State Charities	1
Visiting Agent	1
	<hr/>
	13

SUPERVISORS.

Inspectors, 4 boards of 3 each	12
Trustees, 4 “ “ 5 “	20
“ 1 “ “ 7	7
“ 1 “ “ 10	10
Commissioners of Prisons	4
Board of State Charities	7
Advisory Board of Women to Commissioners of Prisons	3
Advisory Board of Women to the Inspectors of State Almshouse, Primary School, and Reform School	3
	<hr/>
	66

EX-OFFICIO.

Governor and Council.

Legislative Committees on Public Charitable Institutions and Prisons.

CLERICAL AND STATISTICAL OFFICERS.

Secretary Board of State Charities	1
“ Commissioners of Prisons	1
	<hr/>
	2

The appointments are made as follows:—

BY THE GOVERNOR AND COUNCIL.

All the Trustees and Inspectors.

The Board of State Charities.

The Commissioners of Prisons.

The Secretary Board of State Charities.

The General Agent of State Charities.

The Visiting Agent of State Charities.

The several Advisory Boards of Women.

The Superintendent and Physician State Almshouse.

The Superintendent State Workhouse.

The Superintendent State Primary School.

The Superintendent, Treasurer, Chaplain, and Physician, Women's Prison.

The Warden, Chaplain, and Physician, State Prison.

The Treasurers of Reform and Industrial Schools.

All appointed for specified terms.

BY THE SEVERAL BOARDS.

Superintendent and other officers, Worcester Lunatic Hospital.

Superintendent and other officers, Taunton Lunatic Hospital.

Superintendent and other officers, Northampton Lunatic Hospital.

Superintendent and other officers, Danvers Lunatic Hospital.

Superintendent and other officers, except Treasurer, Reform School.

Superintendent and other officers, except Treasurer, Industrial School.

Secretary Commissioners of Prisons.

Superintendents hold their offices at the pleasure of the boards.

Rules and regulations of all the institutions except the hospitals to be approved by the Governor and Council before taking effect.

Thus it will be seen that no uniformity exists in regard to the appointment of the officers of the institutions; that the superintendents of five are appointed by the Governor and Council, and of six by the several boards of trustees; that no uniformity exists as to the size of the various boards: as, for instance, the Industrial School at Lancaster, with a population of about one hundred, is supervised by a board of ten members, while the State Almshouse, with a population of nearly one thousand, is supervised by a board of three. In addition to the great disproportion of supervisors (which, as has been shown, is five supervisors to each executive officer), the anomalies in the laws in regard to the duties are also quite marked.

The law says, that the *superintendent* of the State Workhouse "shall make any and all rules for the government of said institution."

"The *superintendent* and *inspectors*" of the State Primary School shall prepare the rules and regulations.

The “*inspectors* of the State Almshouse” shall establish rules and regulations.

So it will be observed, that, as regard some of the institutions, the trustees or inspectors largely control the administration of affairs; in some, their powers about equal those of the superintendents; and in some, they are less than those of the superintendents. At times, inspectors and superintendents unpleasantly realize that their status is different. Another feature of the present system is the lack of unity between the several institutions: each has been created as occasion required, without any regard to those already established. Each has been managed, without doubt, with a desire for the best results, both as regards economy and efficiency, so far as each particular institution was concerned; but there the interest ceased. No effort has been made, apparently, to create a feeling of unity of interest, in order that the good results attained in one institution might be carried into effect in the others; but each has adopted a system without regard for the others, and the result has been a different system of administration for each institution. The Board of State Charities had only the right to advise; and, in most instances wherever such advice has been given, the trustees or inspectors naturally felt that they were better judges of the needs of their several institutions than an outside board with only a limited knowledge thereof; and consequently, the Board having no power to enforce its advice, it went for nought: so that to-day there is no uniformity in the several institutions, as regards administration, discipline, or methods of purchasing supplies; while the operations of so many different supervisory boards are liable to be antagonistic from the very character of the system.

Ex-Gov. Washburn well says in his message to the Legislature of 1872, in relation to this subject, that “A stranger undertaking to study the workings of our charitable, re-

formatory, and correctional system, must be surprised to learn how many advisory and supervisory boards and agents of one sort or another are connected therewith. He finds that each institution has its superintendent or general manager, with a board of trustees, overseers, or inspectors, and perhaps an advisory board in addition; that there are also general agents whose duty seems to be to look after the management of the various separate institutions; and, finally, general boards or commissions whose duties are not very clearly defined, though they appear to have supervisory powers with certain limitations. Thus, connected more or less directly with the higher branches of this work, he ascertains that there are upwards of twoscore boards and agents, most of them responsible to no particular head, widely differing in views as to plans of administration, frequently clashing as to their respective rights and jurisdiction. He sees a system, built up from time to time, as the necessity of the case required, and observes that it was natural, as each institution came into being, to appoint a board charged with its interests; but now that the system has come measurably near completion,—when the paramount object of solicitude should be to unify and perfect it as a whole, devising and introducing into each department the best possible plan for the accomplishment of the work in hand,—he is at a loss to understand why it is thought necessary to have so many separate, semi-independent officers and organizations to bring about the end which the system obviously seeks.”

Another feature of the present system is, that owing to the multiplicity of supervision, and the division of responsibility by the laws upon boards of inspectors or superintendents, it is almost impossible to determine the responsibility of the management of the institutions; and, in cases of investigations into alleged abuses, it is usually uncertain upon whom the blame should be placed for any thing that may possibly be found to be wrong.

Still another feature, showing the anomaly of the present system, is that of the visiting agency. This officer is appointed by the Governor and Council, and his duties relate wholly to children or minor wards of the State; and, while he is supposed to be under the direction of the Board of State Charities, yet practically he is not. His duties are prescribed by statute, and he is in reality responsible to no authority.

This, in brief, was the condition of things found by us to exist. Such a system, or lack of system, has been allowed to prevail until the present day. We are aware of the reluctance that exists against disturbing the old order of things; and so the system has not been changed. Almost every year the Executive of the State calls attention to the need of some better way, and legislative committees have endeavored to solve the problem, but without any practical result.

EXTENT OF THE SYSTEM REQUIRES SIMPLICITY.

As will be seen by the following tables, the number of inmates of all classes and conditions in the several State institutions, and those who are charges of the State, but are not inmates of the institutions, and the expenditures annually made from the treasury for their support and maintenance, are large; and a system involving so great an expenditure of money, and the care of so many persons, should be simplified to the greatest possible extent,—and all the various officials intrusted with extensive powers should be held to a strict accountability.

Expenditures on account of the several State institutions and of the State charities for the year ending September 30, 1877:—

Worcester Lunatic Hospital	\$102,533 98
Taunton Lunatic Hospital	141,694 87
Northampton Lunatic Hospital	97,573 45
State Almshouse, Tewksbury	99,568 48

State Workhouse, Bridgewater	\$48,043 94
State Primary School, Monson	47,348 87
State Reform School, Westborough	52,650 57
State Industrial School, Lancaster	26,593 43
State Prison, Charlestown	126,978 38
Board of State Charities	532 13
Secretary of State Charities	7,534 39
General Agent of State Charities	31,799 01
Visiting Agent of State Charities	14,895 45
Commissioners of Prisons	2,889 43
Agent for Discharged Convicts	3,552 06
Agent for Discharged Female Convicts	1,500 00
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	\$805,688 44

During the ensuing year expenditures for the maintenance of the Danvers Hospital, the Asylum for Chronic Insane at Worcester, and the Reformatory Prison for Women, will be incurred, in addition to the above.

Expenditures for temporary aid furnished by cities and towns; for sick State poor, and for other purposes, for year ending September 30, 1877:—

Support of Sick State Paupers by Cities and Towns	\$21,284 29
Temporary Aid of State Paupers by Cities and Towns	4,659 60
Burial of State Paupers	9,455 90
Indian and Convict Paupers	188 94
Massachusetts Infant Asylum	6,426 66
Eye and Ear Infirmary, from Jan. 1, 1877, to Jan. 1, 1878	10,000 00
“ “ “ “ Extraordinary	6,000 00
Idiotic School, Jan. 1, 1877, to Jan. 1, 1878	20,000 00
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	\$78,015 39

Number of persons in the custody and care of the State, October 1, 1877:—

Worcester Lunatic Hospital	528
Taunton Lunatic Hospital	776
Northampton Lunatic Hospital	475
State Almshouse, Tewksbury	919
State Workhouse, Bridgewater	389
State Primary School, Monson	525

State Reform School, Westborough	281
State Industrial School, Lancaster	104
State Prison, Charlestown	771
Children in Families	1,066
Sick Poor, estimated	310
	<hr/> 6,144

RESPONSIBILITY DESIRED.

We are of the opinion that one of the greatest evils in the present system is the method of appointment of subordinate officials of the various institutions. As has been said, the Governor and Council appoint the superintendents for five of the institutions, and the various trustees six; and in two institutions, viz., the State Prison and the Women's Prison, the Governor and Council appoint several of the other subordinates. Now, it will never be expected that the best results in institution management can ever be attained so long as the appointments of executive and other officers of these institutions are made by the same power that also appoints the board of inspectors or trustees who should have the control of the State's interests. The status of the inspectors and superintendents is entirely different, and friction is always liable to occur. As an instance of what may occur at any time, we need only refer to the difficulty arising between a former superintendent and the inspectors of the Primary School at Monson, where for several years discord and a lack of unity between the two separate boards (for we may call them such) existed, for the only reason that by statute law the superintendent was the equal of the inspectors, and responsible in fact only to the appointing power. A more recent instance is that of the chaplain of the State Prison, who received his appointment from the Governor and Council with certain statutory duties. Receiving his appointment from the same power that appointed the inspectors, he of course was their equal in all

things, and under their direction in nothing. No one will consider such an anomaly promotive of good discipline or good management. Therefore we have felt, in the course of our investigations, that a remedy should be provided for this difficulty; that a system that allowed more than one controlling power in our institutions would be of no avail either from an economical or efficient point of view, and whatever plan of revision was recommended or carried into operation should first of all provide for the absolute control by one power only; that all the subordinates and officials should be elected by the board in control, and directly responsible to that board; and, in our recommendations in regard to a revision of the present system of administration, we have given prominence to this particular portion of the system. We deem it of vital importance to the successful administration of our public charitable institutions, that the responsibility should be definitely fixed. We would provide for that responsibility by placing it on the several boards created, giving them absolute control, with full power to manage the institutions according to their best judgment and in accordance with the laws of the State. In this way only, in our judgment, will that efficiency and economy in administration, so much desired, be attained. A divided responsibility can produce nothing but evil; but where upon one man, or one board, is placed the entire responsibility, and where they are always held to that responsibility, none but the best results accrue: efficiency, economy, and success are sure to be reached.

OBJECTS TO BE ATTAINED BY A CHANGE.

In considering the system of administration of the public charities, and the methods suggested whereby needed changes should be brought about, it is desirable to accomplish several objects, among which may be named: 1. A classification of the several institutions of the State; 2. A reduc-

tion in the number of supervisory agents; 3. Placing the responsibility of management upon specified boards; 4. Placing all the institutions upon an equality as regards the treasury; 5. Creating a unity of interest between the several institutions and classes of institutions; 6. Creating a system that, as a whole, will be more efficient, produce less friction, and in its individual capacities tend to the general good and harmony of the whole.

In the bill submitted herewith, and marked Number One, we have endeavored to accomplish this desired result. We are aware that it is a radical departure from the system now in operation; but it is impossible to devise any plan for placing the institutions and the general management of the public charities upon a higher and more efficient basis, that would not be a great change from the present.

GENERAL CHANGES PROPOSED.

Several features in the bill recommended are of a general nature, applying to all the institutions alike, which may better be discussed in a general way, before entering upon an explanation of specific recommendations. We recommend that the institutions of the State be classified by grouping the several institutions of a similar design and object; viz., the insane-hospitals, the schools, and the pauper establishments: each of these groups to be placed under the control of a board of sufficient size to permit of the appointment of two members from the neighborhood of each institution, if thought advisable. There is no possible doubt but that the present number of supervisors is far too large, both for efficient work and economy. In our opinion a board of five or ten members, working together in the management of three or five institutions of a kindred nature, can do the work to better advantage and with more satisfactory results to the State than a board of twenty. We will say, however, in connection with this part of the subject, that the present

boards and superintendents in the charge of our various institutions are all men of the highest character and reputation, interested to a great degree in their several charges, and cannot be blamed for any thing wrong in the present system. The Commonwealth may well be proud of its noble men and women who have administered the affairs of its public charities. They deserve great honor for the success they have attained in spite of the system.

As regards the classification of the several institutions in groups as proposed, we feel assured that it will commend itself to all. A single board having charge of a special department, or class, of our public charities, — either the insane or the children, — and having control of the several institutions of the same character, will be better able to accomplish greater results, as regards the specialty. A unity of interest as regards administration, discipline, expenditure of money, purchasing of supplies, and, in fact, every thing relating to the proper development of a special subject, will be brought about by thus combining and uniting the institutions. It may now be impossible to present any detailed or even approximate statement of the amount that may be saved to the Commonwealth; but we think no one will dispute the fact that a unity of interest as regards the several institutions can but lead to a much more efficient and economical administration. What is good in one institution will be applied to all; and what is bad in any will be eradicated. Grouping these institutions will also lead to a better classification of the inmates; and in that way good results will also be attained. Therefore, as regards classification, we are strong in the belief, that, if carried into effect, it will simplify to a great extent the burdensome and cumbersome machinery of the existing system.

In relation to the appointment of these trustees, we desire to add to what has already been said. No system, however perfect it may seem, will succeed, nor will any good results

be derived therefrom, unless those who are intrusted with its development are persons who will devote their best energy and strength to attain that end. We are confident there are public-spirited gentlemen and ladies in the State whose training and experience in all such matters will be invaluable, and who, we believe, will gladly give their time and influence to this great work of re-organization, if the Commonwealth that calls them to its service has that confidence in their ability to faithfully administer its trusts, as to give them the proper control of a subject, and not restrict them with laws and limitations that will tend to prevent its proper development. If with the great responsibility is given a corresponding power of general direction and control, with authority to select their own executive officers, we are confident that such persons will feel inclined to accept these trusts, on the ground that responsible trusts generally secure a better class of persons to administer them.

Another advantage to be derived from giving the entire control of the institutions to a board of trustees is, that by selecting their own officers, and making their own rules, they are then in a position to enforce their own methods and views as to what is right and proper.

Still another advantage is, that it relieves the Executive of the State of many appointments. It is our unqualified opinion, that when these matters are adjusted upon the plan recommended by us, any fear of political control of our various charities will have passed away; for it is reasonable to suppose that only those persons will be selected by the boards for responsible trusts, who are fitted by experience and capacity to perform their duties.

In regard to the relation of the various institutions to the treasury of the Commonwealth, it is much to be desired that all should be placed on an equality; that the same system of disbursements, of accounting, and of every thing relating to the financial arrangements, should operate for all alike.

The funds are now disbursed at the various institutions excepting the hospitals, by officers appointed by the Governor and Council, usually the superintendent or a treasurer. It will be seen that we leave the matter to the discretion of the trustees of each group, authorizing them to select a person to act as disbursing officer. The system in the hospitals we will explain in another portion of the report.

In the bill submitted we have provided a uniform system for all.

Having given a few of the reasons for our recommendations as contained in the general features of our bill, we desire now to call attention to those features which relate to specific classes of institutions.

THE HOSPITALS FOR THE INSANE.

Each of the four hospitals is managed by a board of five trustees. The Asylum for Chronic Insane, or, in other words, the "Old Worcester Hospital," we have called a part of the New Hospital, as both are conducted by the same board of trustees. These institutions are managed entirely by their various boards, and are, in fact, independent of the State, the Governor and Council simply approving the salaries paid to the various officials. We are of the opinion that a single board, much smaller than the present separate boards (twenty members in all), would be more efficient. We have already spoken of the advantages to be derived by grouping, and will only say further in this connection, that the number was fixed at nine, in order to protect the local interest of each hospital.

Each hospital has a treasurer who receives and disburses all the funds. The Commonwealth makes no appropriations for the maintenance of these institutions, but simply pays the board of all State charges, amounting to about \$90,000 annually. All the receipts from every source are used by the institutions, each making a report annually to the Legis-

lature. The State has no control whatever over the expenditures of the hospitals; and the trustees do not submit any estimate to the Legislature of their ordinary needs for maintenance, but when improvements or repairs of a large extent are to be made, then an appeal is made for funds. Undoubtedly no abuses have been made of this mode of procedure: still it is liable to be abused; and it seems to us that the system is wrong, and should not be continued. The hospitals are State institutions, erected with the people's money; therefore it seems highly proper that all the income should be paid directly into the treasury of the State, and all the expenditures be authorized annually by the Legislature, thus placing them upon the same basis, and subject to the same scrutiny and watchfulness, as are all the other institutions. Should not these, the largest and most costly institutions of the State, be held responsible for their expenditures to the authority that creates them? It will probably be said that the present system is simple and better for the hospitals, but it is our opinion that the State should have but one system, so far as the financial matters of the institutions are concerned. We are confident, that, if the recommended change is effected, it will work greatly to the advantage of both the hospitals and the State. We desire to say, however, that this does not apply to the trust-funds in the possession of the trustees, it not being desirable to change the system in that respect.

We also recommend that the Board of Trustees created by the bill submitted herewith have the power to transfer insane patients from one hospital to another within their charge; this power is now vested in the Board of State Charities.

Chapter three hundred and sixty-three, Acts of eighteen hundred and seventy-four, entitled, "An Act relating to the correspondence of insane persons," provides that all persons confined in the several lunatic hospitals shall be allowed to

write monthly to the superintendent and the Board of State Charities, and also provides for the furnishing of materials, &c., for such correspondence, for locked boxes in which letters are to be deposited, and for the opening and distribution of the letters by the Board of State Charities.

So far as we can ascertain, the operation of said law practically amounts to nothing. The letters deposited therein are generally the effusions of a crazed brain, often unfit for any sane person to read, and, in our opinion, it would be the means of great mortification and suffering to the writers, if they should recover their reason, to know that such thoughts should ever have been put in writing, and no words of condemnation would be strong enough towards those persons who ever allowed them to write them, and against the law that compelled outside parties to open and read the correspondence. The superintendents of the insane hospitals are all men highly honored wherever they are known; and no one can rightly suppose that any person would be deprived of any means of communication with their friends outside the institutions whenever they desired, when such communications were of such nature as to permit of their perusal. In view of this fact, and also because its continuance upon the statutes is an implied distrust of the superintendents and others in charge of our hospitals, and because we believe, that, if any abuses in the administration of our hospitals are ever discovered, it will be through other means and methods than the mere statements and whims of a diseased brain, we recommend the repeal of the law.

THE STATE INDUSTRIAL SCHOOLS.

These institutions consist of the State Reform School for Boys at Westborough, the State Industrial School for Girls at Lancaster, and the State Primary School at Monson. The first two are correctional and reformatory in their nature,

and are controlled and directed by separate boards of trustees, who, with the treasurer of each, are appointed by the Governor and Council. The latter is an institution for the instruction and care of pauper children, and also such children as are committed to the care and custody of the Board of State Charities by the courts, upon the recommendation of the visiting agent, and is managed by a board of inspectors and superintendent, appointed by the Governor and Council. We think there is no subject relating to our public charities of greater importance than the care of the children, and particularly that class of children, who, through the misfortune of birth or other circumstances, have become dependent upon the State. The care received by these while young, and inmates of the several institutions, determines their future character and usefulness to the State and society. It seems to us that all the children should be under the control of one board, who should make the subject a specialty, giving their best thoughts and their time to the moral and social elevation of all under their care. The State has always endeavored to treat its dependent children in a kind and liberal manner. Through the efforts of philanthropic ladies and gentlemen, with the valuable aid of the State, two large institutions have been established for the reformation and reclamation of the unfortunate children, who for offences, or other reasons, require restraint. The State has also provided a school for the more hopeful and innocent of its dependents,—viz., those children who for no other cause than that of poverty have become its charges.

That a system should be devised, looking to a better classification of the children, and a higher standard of moral and intellectual character, by a separation from all that is akin to pauperism, is especially desirable. The feeling should not prevail, that these children are of no use to humanity, that they are by force of circumstances only in

existence, that they are nothing but paupers, and it does not matter what care or attention they receive, provided that they have sufficient care to keep them alive, and when they reach an age when they can care for themselves to a certain extent, they should be set adrift, and left to depend upon their own resources. We are happy to say that such feeling does not prevail among those having the care of the children in our institutions. A great degree of interest in the welfare of those under their direction exists; but we are of the opinion, that, as the system now is, such results cannot be attained as would most naturally be developed under a more comprehensive and far-reaching system, which could be devised by a board of gentlemen and ladies having the full direction and care of all the children dependent upon and under the control of the State.

While economy is to be desired in all things, especially in the administration of the affairs of our public institutions, it should not be insisted upon to such an extent as to interfere with the proper development of the objects which these institutions were created to accomplish. We are led to this conclusion from a careful consideration of the administration of the State Primary School at Monson. While it did not devolve upon us to investigate any particular institution, but merely to consider the whole system of our charitable institutions as affecting the entire interests of the State, yet it could be hardly otherwise than observable, in the course of our inquiries and examination, that until a more liberal and progressive view is taken by the Legislature, of the importance of this school in determining the future character and position of those who become inmates thereof, the best results will not be attained. It is not enough to merely provide shelter, and a bare subsistence and a little education. It was apparent to us that the policy of the State in relation to this school, as regards the care and support of the children, has been such as to greatly interfere with its possible success.

The average expense to the State for the support of each child during the year ending September 30, 1877, was \$1.70 per week. Of this amount, \$1.00 per week was expended for supervision, teaching, and clothing, and the remaining seventy cents per week (excepting the product of the farm) covered the entire cost of maintenance. No one will ever suppose that children, a majority of whom are under twelve years of age (the average age being nine years), can receive the best or sufficient food at such a low price. The managers of the institution have done the best they could with the means at their disposal. It seems to us that reason and humanity both require that in the future a more liberal appropriation shall be made for the support of these children.

In our opinion a more active effort should be made for placing the children in this institution in families. The Board of Inspectors and the Superintendent now in charge have practically no power in this direction, except, perhaps, to look up places for them. This is owing in a great measure to the fact that the Board of State Charities have the control of most of the children in the institution, and in this respect it seems to be managed by two separate boards. The Visiting Agent is, by law, vested with the power to place these children in families, and is obliged to visit them himself, or cause them to be visited. We are of the opinion, however, that by grouping the schools together under a single board, this, as well as all other anomalies in the present system, would be harmonized, and a plan devised by which all necessary details in the care of these important interests will be greatly simplified. To accomplish this, however, it will be necessary for such a board to have the entire direction of all the officers and all the details. Therefore we recommend that the duties now vested by law in the Visiting Agent be vested in the Board of Trustees; and, if in their opinion it is expedient to appoint a visiting agent, they

can do so, and the person so appointed will then perform his duties under the direction of the Board. The present occupant of that office is a person peculiarly adapted to perform its duties; and we recommend the proposed change not for the purpose of reflecting on the manner in which he has administered his duties under the laws, but simply for the reason that we feel it to be a long step toward attaining simplicity, economy, and efficiency in administering the schools, to give the entire direction of all the children to a responsible board, with the control of all their executive officers.

We are of opinion that the retention of adult paupers at the institution at Monson is entirely wrong, and should be discontinued. The institution should be a *school* for the children, and not a pauper-establishment; and the children should be separated entirely from all that would in the least degrade them, or impair the good influences received by them while in the school. We can but feel that the continued use of the institution in part as an almshouse, and the present system of employing pauper help, — giving them the care of the children, especially the very youngest, — will only work injury, and counteract the influences of those whose efforts are, or should be, to elevate and direct the children committed to their care.

With the grouping of these three schools under a single board in the manner proposed; with the visiting agency under its direction; with a more liberal policy on the part of the State as regards expenditures, not in a manner to encourage extravagance, but in a manner to encourage development of all that relates to elevating its children, — we are confident that such a plan or system will be inaugurated and carried into effect, as, in its operations and results, will be satisfactory to the State.

A system that will lead to the permanent improvement of its minor wards should always be fostered by the State. To

make good citizens and honorable men and women of these now poor and dependent children, should always be the aim and desire of all to whose care they are intrusted. If, to attain these great and important ends, it is necessary to enter into a larger expenditure of money than heretofore, let it be done; for, no matter what it costs, the State will be more than repaid in the satisfaction of knowing that its children are becoming good and self-supporting citizens, instead of being perpetual burdens, and constant occupants of its almshouses.

THE STATE WORKHOUSE AND STATE ALMSHOUSE.

The State Workhouse was established in 1866. The original intention, and reason for its establishment, was to provide means for a classification of the paupers in the State Almshouse, and also for the detention of that class of persons described in Section 28 of Chapter 165 of the General Statutes, who had become inmates of the State Almshouse. A class of people such as habitual drunkards, frequenters of houses of ill-fame, dram-shops, &c., when broken down in health, would go to the Almshouse at Tewksbury for medical treatment, and remain there until they recovered, receiving the advantages of the care and attendance at the hospitals at the expense of the State, and immediately upon recovery leave the institution, and return to their old haunts, to commence anew their lives of shame and degradation, and, in course of time, return to the institution. To separate this class of people from the deserving poor, and to detain them in order that the State could be reimbursed for its expenditures in some degree by their labor, the workhouse was provided, a court established before whom complaints are made; and upon the evidence of the agent of the Board of State Charities, the officers of the institution, or the admission of the paupers, they are sentenced to the workhouse for a term not exceeding two years. All female pau-

pers of the class named above have been sent to the Reformatory Prison for Women, since it has been ready for inmates. Subsequently cities and towns were authorized to send their criminal and vicious poor, through the medium of a regular court, to the workhouse; authority was also given the courts to send all persons coming within the same category to the workhouse instead of to the houses of correction; and in addition the Board of State Charities were empowered to transfer incorrigible boys from Westborough to the workhouse. The result has been, that we find collected together at the workhouse all classes of criminals, with no proper means of discipline, of employment, or of classification. In its present condition it does not meet the requirements of a workhouse. Originally intended for the purposes of an almshouse, and so used for upwards of twelve years, the present buildings are not suitable for the safe-keeping of the class of people committed thereto. A special committee of the Legislature of 1877 appointed to investigate the administration of affairs at the workhouse call attention to this point. They say:—

“The buildings at Bridgewater, intended only for the housing of paupers, are entirely unfit for the safe-keeping of such an incongruous mass of persons as are here congregated; and humanity and expediency both call for such a change as will separate the old and feeble from the young and vigorous. The present buildings can never be so altered as to make a model institution; but some change should be made at the earliest possible moment, which will allow of a proper classification of the inmates.” So long as the commitments to the workhouse were confined to paupers at the State Almshouse, which was simply a classification of the poor, separating the vicious from the respectable and deserving poor, the present buildings were probably sufficient; but in the present state of affairs, and with the present class of inmates, in order to place the institution in a proper condi-

tion, a large amount of money must be expended in the erection of buildings, for workshops, and for cells.

We are of the opinion, however, that the present mode of commitment to the workhouse from the State Almshouse is entirely wrong, and that the workhouse system should be abandoned. A system that permits the Board of State Charities, or any board, to accuse certain paupers of crime, and cause them to be tried before a special court held at the Almshouse, without publicity, the assistance of counsel, or the presence of relations or friends, and, upon the evidence of the officers of the institution or perhaps their own confessions, sentenced to a workhouse for a longer or shorter term, is contrary to our good sense, and our love of equal rights for all. To be sure, it may be a means of economy to the State, to allow it to exist; and possibly no injustice may ever have been done: yet the principle is entirely opposed to what we prize as our highest privilege and right. It is admitted by those whose duty is to enforce the law, that the system is unsatisfactory and vexatious, that a change is desirable, and that some better method should be devised. For several years this subject has received the attention of committees of the Legislature, and all have felt that the system should be changed.

If any person has committed an offence that would subject him to punishment by confinement, the crime should be proved in court in the vicinity where it is committed; and the person, if found guilty, sentenced and committed, according to law, to the house of correction. In our judgment, the whole system should be abandoned; and therefore we recommend the repeal of the law creating it.

We have before stated, that since the opening of the "Women's Prison" all female paupers coming within the category of Sections 28 and 35, Chapter 165, of the General Statutes, have been committed thereto instead of to the workhouse. Under the operations of this law, a class of

women have been committed to the prison, of no practical use to it; and their continuance therein, and the continued sentencing from the almshouse thereto, will operate against the benefits expected to be derived therefrom. The law also authorizes the removal of the sentenced women at the workhouse to the prison. A small proportion have already been transferred; about 120 remaining at the workhouse. Only women sentenced for the longest terms were selected, and of those such only as were healthy and strong. By abolishing the court at Tewksbury, we abandon a system in which exist all the evils complained of, and prevent the transformation of a pauper into a criminal by a method which he cannot always understand.

The discontinuance of the workhouse at Bridgewater opens the way to a much needed and desired reform in our almshouse system. We are strongly impressed with the necessity and the desirability of the separation and classification of the sexes at the State Almshouse. The present system of allowing a large number of both sexes to congregate in an institution of this kind causes a great deal of anxiety to the officers in charge of that institution. With an average population of over 900, about evenly divided as regards sex, the utmost care and watchfulness must be constantly exercised to prevent the communication and mingling of the sexes. By using the workhouse at Bridgewater as an almshouse for men, and the almshouse at Tewksbury as an almshouse for women, the separation desired can be accomplished, and provision made for a proper classification of each sex at each institution. By such a disposition of the two institutions, complete separation and classification are attained, and the large expenditure to provide additional buildings, necessary to continue the present system, will be obviated. The two institutions of the same class can then be placed under the control of one Board; and we are quite confident that such a Board, with all necessary power, will

speedily devise a plan by which the State can be reimbursed in part for its expenditures and care, and provide a mode of classification and protection better than that of criminal commitment as under the present system. The superintendents of these institutions are now appointed by the Governor and Council, and are almost entirely independent of the boards of inspectors. In accordance with our general views we recommend that the trustees placed in charge have full direction with the power to elect their own officials, and with the power to transfer from one institution to another within their charge, such persons of either sex, that they may, from reasons of economy or otherwise, deem expedient. We provide that no further commitments shall be made to the workhouse; and also that the power heretofore vested in the Board of State Charities as regards these two institutions shall be vested in the Board of Trustees.

BOARD OF STATE CHARITIES.

The Board of State Charities was established in 1863, and consists of seven members, two of whom are salaried; viz., the Secretary and the General Agent. The other members receive no compensation for their services, but are allowed their actual travelling expenses. The duties of the Board were originally mainly supervisory and advisory: now they are largely administrative, traversing the duties of inspectors and trustees. They have the power of admission and discharge of persons at the Primary School, at the State Workhouse, at the State Almshouse, and of transfer in various ways. They have full legal custody of certain children committed to them by the courts, and direct to a considerable extent the offices of Secretary and General Agent of State Charities, and to a limited extent that of the Visiting Agency.

The Secretary attends to the clerical business of the Board, records and tabulates the returns from the State, city, town,

and local institutions, and superintends the details of office business.

The General Agent acts as superintendent of alien passengers, visits the various institutions of the State, ascertains settlements, prosecutes the cases at the State Almshouse with a view to commitment to the State Workhouse, and performs a variety of general work. There is also a department, the duties of which relate to the sick poor who are aided by the State outside of the State Almshouse, and to the auditing of the bills of cities and towns for expenses incurred on account thereof. These duties are now performed by a special agent appointed by the Board of State Charities under the nominal direction of the General Agent.

It is doubtful whether the Board of State Charities under the existing form of organization has ever attained its full measure of usefulness. The Board itself has continually called attention to the fact that "the moral power which the Board of State Charities might exert as an advisory board is greatly reduced by faults in its own organization." The Act of 1863 (Chap. 240), creating the Board of State Charities, provides that the Secretary and General Agent shall be appointed by the Governor and Council, and that they shall also be members of the Board. Their duties are defined by the statute. The Board therefore has felt itself restricted in its work. Owing to the existence of two vacancies in the Board, and the absence of two other members for several months during the past year, the Secretary and General Agent constituted a majority of the Board, and consequently as executive officers enforced their own instructions and votes as members of the Board, and as the Board indorsed and approved their own actions as executive officers. Such an anomalous arrangement ought never to exist. While the present Secretary and General Agent are men above reproach, and would undoubtedly do nothing but what was equally right and proper, still we believe it will be generally admitted that the principle is entirely wrong.

It will be borne in mind, that in grouping the various classes of institutions, and giving the entire direction to a board of trustees for each group, we have endeavored to give decided prominence to the absolute responsibility placed upon each board. In thus placing the responsibility, we feel that the necessity for the existence of the Board of State Charities in its present form has ceased. In our opinion there is no necessity for a board to supervise the several boards in charge of the institutions, especially in the present manner; because supervision becomes a hinderance rather than a help when local boards like the inspectors or trustees, and a central board like the Board of State Charities, operate and direct in the same institutions.

There is, however, a department of the Board of State Charities, which is indispensable, and which we believe should be retained; viz., that of the General Agent. To provide for a proper supervision of the duties of that office, we recommend that the chairmen of the several boards of trustees of the classes of institutions grouped together, be constituted a State Board of Charities. We feel that the General Agent should be held responsible to a responsible Board; and that, in all matters relating to the several institutions, he should be under their general direction. We believe, that by creating a Board of this kind, and in this manner, we open the way to that unity of interest between the different classes of institutions so much desired. Such a board thus constituted, the members of which often conferring and consulting with each other as to the varied interests of the several classes of institutions, as regards discipline, administration, transfers, and supplies, will, we feel confident, tend to that simplification the results of which will be economy and efficiency. The duties of the present Board relating to the several institutions are, in the bill submitted by us, vested in the several boards of trustees; and all matters relating to the transfers of inmates from one class of institutions to another are

vested in this State Board of Charities, and in such a manner as to entirely obviate any necessity of conflict or misunderstanding.

We have provided in the bill submitted, that the collection of all bills for the board of inmates at the several hospitals shall be made by the General Agent, under the direction of the Board. Our reason for so doing is, that the General Agent has heretofore attended to the collection of all claims of the several institutions other than the hospitals against cities and towns and individuals, and would thus better attend to this duty than perhaps any other person.

In regard to the Secretary's department, we feel, that, with the grouping of the several institutions, the department can be abolished without any detriment to the interests of the State. Each group is required to report directly to the Governor and Council, and these reports can be made to include all necessary statistics. A large amount of the statistical matter heretofore tabulated by the Secretary has been simply a duplication of statistics already appearing in the reports of the several boards of trustees and inspectors of the various institutions.

The returns of cities and towns required by law to be made to the Secretary of State Charities, we are of the opinion, can now be tabulated under the direction of the Secretary of the Commonwealth, with little if any additional expense to that department, and with a saving to the State of over \$7,000 annually, which has been the amount heretofore expended by the Secretary of the Board of State Charities. Therefore, as an economic measure, it seems to us desirable that this change should be made, and we are confident that the necessary duties will be performed as efficiently under the direction of the Secretary of the Commonwealth.

Thus, by grouping the several charitable and reformatory institutions into classes, and by grouping the several classes into a board for the purpose of crystallizing the whole, a

system is arranged that will, in our opinion, if it should be adopted, do away with all that is vague, anomalous, and wrong in the present system, and place the institutions and the administration of our public charities upon a basis, and under a system, easily comprehended, and from which none but the most satisfactory results will arise, both as regards the administration of affairs and the interests of the State.

PRISONS OF THE STATE.

The Resolve creating the Commission is very comprehensive in its scope, having in view not only the revision of the system of administration of the charitable institutions of the Commonwealth, but also that of the reformatory and penal institutions.

Time has not permitted any extended examination or investigation of the prison system of the State, so far as it relates to the county institutions; viz., the houses of correction and jails. We are aware that many well-informed and experienced people are strongly of the opinion that the present system should be changed, and one much simpler and more economical substituted therefor.

In the consideration of this part of the subject, however, we have been compelled to confine ourselves entirely to those institutions immediately under the control of State officials; viz., the State Prison, and the Reformatory Prison for Women.

STATE PRISON.

This institution was established in 1805, and is the oldest of the public institutions of the State now existing. In 1828 the present system of supervision by a Board of Inspectors was established.

The government is vested in the Warden and subordinate officers, under the supervision of a board of three inspectors, who are appointed by the Governor and Council, one retir-

ing annually. The Warden, Chaplain, and Physician are also appointed by the Governor, but for no specified time. All the other officers are nominated by the Warden, and confirmed by the Inspectors, who also have the power of removal; but, in case of their refusal or neglect to remove any unfit officer, the Governor may remove him. They, with the Warden, have certain duties defined by law. We visited the prison, and have given the subject considerable thought.

We are of the opinion that the reasons for giving the full control and direction of the different classes of charitable institutions to a single board hold with great force when brought to bear upon the present system of managing the prison.

The difference of opinion as to respective duties and authority, existing between the Chaplain and Warden of the prison, is of recent occurrence, and need only be referred to here. For two years a state of affairs existed at the prison, prejudicial to its best interests, or to good discipline, to say the least. We are confident, that if the control of these officers had been vested in the Board of Inspectors, elected by them and responsible to them, the matter would have been quietly settled, without scandal or undue publicity. But being supervisors only, with no control, in order that good discipline might be restored, they were compelled to bring the matter to the attention of the Governor and Council; and, almost before they were aware of the fact, they found themselves upon trial, with charges preferred against them, and therefore compelled to act on the defensive. The result is well known.

Such a state of affairs is liable to occur at any time, under the present system.

In order to prevent its recurrence, we recommend that the government of the prison be placed in the hands of a board of three trustees, with ample power to direct the

affairs of the prison. During the coming year, the new State Prison at Concord will be ready for the reception of prisoners; and it is of the utmost importance, that the system of government be of such a nature as to bring forth the best results to the State. We feel confident that only a board of trustees having the entire direction will be able to do this. The great questions of prison labor, of discipline, and of the numerous details of prison management, will be thus simplified, and placed on a correct basis, and unity of interest will be accomplished.

We are of the opinion that it is not desirable to specify in detail, by statute law, the duties to be performed by each officer; nor, is it for the best interest of the State, to enumerate by statute the amount to be paid to each subordinate official as salary: we feel confident that it will be more in the interest of economy and good government to allow the board of trustees to determine for themselves the number of officials necessary to properly govern the prison, and the amount which should be paid for salaries, subject always to the scrutiny of the Legislature.

COMMISSIONERS OF PRISONS.—REFORMATORY PRISON FOR WOMEN.

The Board of Commissioners of Prisons was created in 1870. A great desire was manifested by many intelligent and philanthropic ladies and gentlemen, and members of the different professions, for the classification of the inmates of the penal institutions according to age, sex, and character. It was represented to a Committee of the Legislature of 1870, that there were several hundred female prisoners in the State, that most of them were in the same prisons with men, and under the care of men. A desire was expressed, that separate prisons be provided for those women, and that they should be under the care of women. It was desired to perfect a classification of prisoners, the separation of the

young of both sexes from those who were old in years and crime ; and it was proposed to the committee that two new prisons should be built. The committee reported that a classification was needed ; but they thought it could be accomplished with the existing county prisons, if a proper system of transfer was provided. The Board of Commissioners of Prisons was thereupon established.

It consists of three unpaid members, and the Secretary, who becomes a member after he is elected by the Board.

Its duties relate to the classification of the prisoners in jails and houses of correction, having reference to age, sex, character, &c. ; and for the purpose of separating male and female prisoners, it is authorized to remove prisoners from one jail or house of correction to another in the same or any other county ; it is also required to visit the jails and houses of correction once in six months. Three women were also appointed as an advisory board of overseers to the prisons where women are committed, and are required to visit and inspect such prisons at stated times. All returns of county prisons are now made to this board, although they were formerly made to the Board of State Charities. The Commissioners are required to report annually to the Legislature, an account of their doings, with such suggestions and recommendations as they deem proper.

The Commissioners of Prisons were subsequently authorized to consider the subject of establishing State prisons for women ; and in their report of 1872 they recommended the building of one prison to be used exclusively for the confinement of women and girls. In 1874 the Legislature authorized the establishment of the prison, and the Commissioners of Prisons were intrusted with the erection of the building, and the direction of its management after completion. In October last, the prison was opened for the reception of prisoners ; and since that time, by means of commitments from the Almshouse and the Courts, transfers

from the County Prisons and State Workhouse, upwards of 300 have become inmates.

The Commissioners have given most of their time and thought to the condition of women in our prisons, although they have given consideration to other matters in connection with the prison system. Their duties, however, are mostly of a supervisory nature, the only power vested in them being that of transfer from one jail or house of correction to another; and if they discover any thing wrong, or any thing which in their opinion should be changed, they can only call the attention of the Legislature thereto.

We are of the opinion that since the Women's Prison is completed, the office of Commissioners of Prisons can be abolished. It is too soon to know whether all the results expected to accrue from the establishment of the prison will be attained, and too soon to judge of the wisdom and expediency of creating it.

It is, however, exceedingly desirable to secure the best results therefrom; and therefore we feel that it should be under the direction of a board of ladies and gentlemen who should give their time and thought to the best means to accomplish all that is desirable, without being compelled to devote their time to other matters not directly connected therewith. We feel that the object for which the Commissioners of Prisons was created has been practically accomplished in the erection of this prison; and that, now it is completed, their duties relating to the prison can be transferred to a mixed board, and that portion relating to the reports and returns of the county prisons can be transferred to the Secretary of the Commonwealth to be performed under his direction. As to the duties relating to the visitation and inspection of the county prisons, we doubt the expediency of continuing a separate board for this purpose only.

We therefore recommend that the government of the

Women's Prison be vested in a board of five trustees, with full control and direction; all the officers to be selected by them, and all details to be under their supervision.

This being entirely a prison for women, it has been thought by us highly proper that the majority of the Board should be women; and, as there has been no practical objection suggested to us, we have provided that the Board shall consist of three women and two men. The Commonwealth owes a debt of gratitude to the public-spirited women who have served it so well as members of the Advisory Board to the Commissioners of Prisons, and we feel confident, that, if they should be called to perform the duties of trustees, their efforts will contribute largely to the future success of the prison.

We further recommend that so much of the duties of the Commissioners of Prisons as relate to the transfers of women from county institutions to the prison, and also so much of the duties of the Advisory Board as relate to the visitation of jails and houses of correction where women are committed, be vested in the board of trustees in charge of the prison; this authority should rest in some board, so that women sentenced at the discretion of judges to houses of correction may be transferred to the prison if thought advisable, and also that the condition of all the sentenced women in county institutions may be inquired into, and it seems to us that such authority properly belongs to this Board.

ADVISORY BOARD OF WOMEN TO THE INSPECTORS OF THE STATE ALMSHOUSE, STATE PRIMARY SCHOOL, AND STATE REFORM SCHOOL.

This Board was established last year (1877), and consists of three ladies, whose duties relate to the visitation of these three institutions for the purpose of inspection, especially of the portion devoted to women and children; and they are

required to report such suggestions as they deem proper to the Board of State Charities quarterly, who transmit the same to the inspectors. They receive no compensation, but are paid actual expenses.

The ladies constituting the present Board are all well known; and, since accepting the trust, they have been vigilant and active in the discharge of their duties, and we feel assured that good has resulted from their efforts, but by grouping the several classes of institutions which they are required to visit, and by placing each group under a mixed board, the necessity for such an advisory board is obviated. For this reason we recommend that the board be abolished.

REVISION OF THE LAWS.

The Resolve provides that the commission shall "inquire into the expediency of revising the system of administration of the public charities and reformatory institutions of the Commonwealth, and all the existing statutes in regard to pauperism, crime, and insanity, with a view to secure greater simplicity, economy, and efficiency in said administration."

The greater part of the laws relating to this subject are those creating the separate institutions and the several boards, and refer mostly to the administration of affairs.

We have felt, that, by creating a simple form of administration, a large number of the laws could be repealed; and in the bill submitted we have expressly repealed all those acts or parts of acts conflicting with our recommendations.

We also submit and recommend a codification of the existing "Settlement Laws," which is substantially the same as reported by the Committee on Public Charitable Institutions of the last Legislature, which, for want of time for consideration, was referred to the next "General Court."

To properly revise and codify the laws not affected by the bill submitted, will require more time than has been at our

disposal. We are of the opinion, however, that, if the bill recommended herewith becomes a law, the question of revision can be very properly left to the several boards of trustees, who, after a practical experience of the working of the laws, can recommend such changes and revision as is necessary for a proper management of the trusts committed to them.

GENERAL REMARKS.

It will be seen that all our recommendations, both in this Report and in the bill submitted, are made with a view to completely re-organize, upon a simpler system, the administration of the public charitable and reformatory institutions of the State. As we have before stated, our opinion is that with all the institutions placed upon a more uniform basis, and their direction given to responsible boards with full control, much that is now inconsistent and incomprehensible will be simplified. Objections may possibly be raised, that too much authority and power is given to these boards, and that re-organizing the public charities upon the plan recommended will tend to centralization. But we are of the opinion that a system should be based upon business principles, and we always recognize the fact that only in organization will the success and best results be reached that all desire. This is so in all business or other great enterprises: it should be the plan in our public enterprises. Several plans for the re-organization of our charitable system have been suggested to us by various parties. We have endeavored to incorporate all that was good in them, into our general plan.

It is possible that a feeling prevails among certain people, that a central board should be created for the purpose of supervising the various boards recommended by us. But we believe that a large part of the difficulties growing out of the present system can be traced to the fact that there has

been too much supervision. A board is created for a certain purpose, and another board established to supervise the first board. Now, the more definitely any responsibility is fixed the better will be the results; the only supervisory power should be that which creates the responsibility. Therefore we have endeavored to present a plan that will certainly place the responsibility upon the board in charge of the institutions, the only supervisory power being the Legislature who creates each board, and authorizes all its expenditures, and the Governor and Council who appoint the members of the boards. By this plan the Governor and Council, the Legislature, and the people, know who are responsible for the management of its public charities.

As stated in commencing this Report, we have confined ourselves entirely to the system of administration of the various institutions, charitable and reformatory. The relation of the State to private charitable institutions, and to the system of relief as administered by cities and towns, we have not considered in any form. We have felt that the system as relating to the State institutions, involving as it does large expenditures annually, should first of all be simplified; and the three months which followed our organization have been devoted exclusively to investigating the existing method, and devising a better one to substitute therefor.

The result of our investigation and labor we lay before you, feeling confident, that if the plan recommended by us, and embodied in the bill submitted, is adopted, and put into practical operation, economy, efficiency, responsibility, unity, and simplicity in administration will be secured.

J. P. BRADLEE.
JOHN E. TYLER.
ESTES HOWE.

DECEMBER 20, 1877.

NUMBER ONE.

AN ACT RELATING TO STATE CHARITIES
AND CORRECTIONS.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows : —

SECTION 1. The Board of State Charities; the boards of trustees of the several state lunatic hospitals at Worcester, Taunton, Northampton, and Danvers; of the State Reform School; of the State Industrial School for Girls; the boards of inspectors of the State Almshouse; of the State Workhouse; of the State Primary School; and of the State Prison; the Commissioners of Prisons; the Advisory Board of Women to said Commissioners; and the Advisory Board of Women to the Inspectors of the State Almshouse, of the State Primary School, and the trustees of the State Reform School, are hereby abolished.

STATE HOSPITALS FOR THE INSANE.

SECT. 2. The government of the state hospitals for the insane at Worcester, Taunton, Northampton, and Danvers, and the Asylum for the Chronic Insane at Worcester, shall be vested in a board of nine trustees, appointed and commissioned by the governor, with the advice and consent of the council, and subject to removal only for sufficient cause.

The trustees so appointed shall hold their offices for five years: *provided*, that the terms of office of the nine first appointed shall be so arranged that the term of two shall expire in one year, two in two years, two in three years, two in four years, and one in five years; and the vacancies so created, as well as all vacancies occurring otherwise, shall be filled by the governor, with the advice and consent of the council. The trustees of the several hospitals now in office shall continue to hold their offices until the terms thereof expire, according to the provisions of this Act. The title of said board shall be "Trustees of the State Hospitals for the Insane."

SECT. 3. The said trustees shall be a corporation for the purpose of taking and holding, to them and their successors, in trust for the Commonwealth, any grant or devise of lands, and any donation or bequest of money, or other personal property, made for the use of the institutions of which they are trustees, or either of them, and for the purpose of preserving and investing the proceeds thereof in notes or bonds secured by good and sufficient mortgages or other securities, with all the powers necessary to carry said purpose into effect.

SECT. 4. They shall take charge of the general interests of the state hospitals for the insane, and see that their affairs are conducted according to the requirements of law, and the by-laws and regulations which they shall establish for the internal government and economy thereof. They shall appoint a superintendent for each hospital, who shall be a physician, and shall constantly reside at the hospital to which he has been appointed; and they shall appoint, or make provision in their by-laws for appointing, for the several hospitals under their charge, such other officers as in their opinion may be necessary for conducting efficiently and economically the business of the hospitals; and shall determine the salaries of all the officers. All their appoint-

ments shall be made with such restrictions, and for such terms, as their by-laws may prescribe. They shall have the power to transfer insane persons from one hospital to another within their charge.

SECT. 5. The salaries of the superintendents and other officers of the several hospitals, and all bills for supplies and for other expenditures for said hospitals, shall be paid monthly from the treasury of the Commonwealth to such person as may be designated by the board of trustees, the same having first been certified by the auditor of said Commonwealth: the several bills and pay-rolls shall be certified and approved by the trustees; and a record of all bills and pay-rolls shall be kept by them, and the originals deposited with the auditor of the Commonwealth, as vouchers.

SECT. 6. There shall be thorough monthly visitations of each hospital by one or more of the trustees thereof, and quarterly by a majority of them, and semi-annually by the whole board, and as often in addition thereto as their by-laws may prescribe. At the annual meeting, which shall be held between the first and fifteenth days of October, a full and detailed report shall be made, exhibiting a particular statement of the condition of the hospitals and all their concerns, with a list of the salaried officers and their salaries, a full statement of income and expenditures, and in a tabular form, under the heads specified in section eleven, chapter five, General Statutes, the value of the stock and supplies; which report shall be made up to the thirtieth day of September inclusive, and shall be transmitted in manuscript to the governor and council, on or before October fifteenth, for the use of the government.

SECT. 7. The trustees shall report to the Secretary of State, on or before December fifteenth of each year, an estimate of the sum that will be required to meet the expenses of the hospitals for the following year, specifying separately

the amount for salaries, subsistence, clothing, bedding, fuel, repairs, and incidentals, together with an estimate of the probable income, from city, town, and private patients, and from all other sources.

SECT. 8. An annual appropriation shall be made from the treasury for the support of the hospitals. All receipts for the board of city, town, and private patients, and from all other sources, shall be paid quarterly to the Treasurer of the Commonwealth.

SECT. 9. The said board of trustees of the state hospitals for the insane shall be successors to, and hold all the trusts, be subject to the same duties and liabilities, and have all the powers and privileges heretofore held or exercised by the boards of trustees of the several hospitals for the insane at Worcester, Taunton, Northampton, and Danvers, except as otherwise provided in this act. The trustees shall not receive compensation for their services, but shall be allowed all expenses incurred by them in the discharge of their duties.

STATE INDUSTRIAL SCHOOLS.

SECT. 10. The government of the State Reform School at Westborough, the State Industrial School for Girls at Lancaster, and the State Primary School at Monson, shall be vested in a board of seven trustees (three of whom shall be women), appointed and commissioned by the governor, with the advice and consent of the council, and subject to removal only for sufficient cause. The trustees so appointed shall hold their offices for five years: *provided*, that the terms of office of the seven first appointed shall be so arranged, that the term of two shall expire in one year, two in two years, one in three years, one in four years, and one in five years; and the vacancies so created, as well as all vacancies occurring otherwise, shall be filled by the governor, with the advice and consent of the council. The trustees and inspect-

ors of these institutions now in office, shall continue to hold their offices until the terms thereof expire according to the provisions of this act. The title of said board shall be "Trustees of the State Industrial Schools."

SECT. 11. The said trustees shall be a corporation for the purpose of taking and holding, to them and their successors, in trust for the Commonwealth, any grant or devise of lands, and any donation or bequest of money or other personal property, made for the use of the institutions of which they are trustees, or either of them, and for the purpose of preserving and investing the proceeds thereof in notes or bonds secured by good and sufficient mortgages or other securities, with all the powers necessary to carry said purpose into effect.

SECT. 12. They shall take charge of the general interests of the several schools, and see that their affairs are conducted according to the requirements of law, and the by-laws and regulations which they shall establish for the internal government and economy thereof, and for the proper discipline and instruction of the children therein. They shall appoint a superintendent for each school; and they shall appoint, or make provision in their by-laws for appointing, for the several schools under their charge, such officers as in their opinion may be necessary for conducting efficiently and economically the business of the schools, and may remove all such officers at pleasure; and they shall determine the salaries of all their officers. All their appointments shall be made with such restrictions, and for such terms, as the by-laws may prescribe.

SECT. 13. The salaries and pay of all officers and employés of the several schools, and all bills for supplies and for other expenditures for said schools, shall be paid monthly from the treasury of the Commonwealth, to such person as may be designated by the board of trustees, the same having first been certified by the auditor of said Commonwealth.

The several bills and pay-rolls shall be certified and approved by the trustees, and a record of all bills and pay-rolls shall be kept by them, and the originals deposited with the Auditor of the Commonwealth, as vouchers.

SECT. 14. There shall be thorough monthly visitations of each school by one or more of the trustees thereof, and quarterly by a majority of them, and semi-annually by the whole board, and as often in addition thereto as their by-laws may prescribe. At the annual meeting, which shall be held between the first and fifteenth days of October, a full and detailed report shall be made, exhibiting a particular statement of the condition of the schools and all their concerns, with a list of the salaried officers and their salaries, a full statement of the income and the expenditures, and in a tabular form, under the heads specified in section eleven, chapter five, General Statutes, the value of the stock and supplies; which report shall be made up to the thirtieth day of September inclusive, and shall be transmitted in manuscript to the governor and council, on or before October fifteenth, for the use of the government.

SECT. 15. The trustees shall report to the Secretary of State, on or before December fifteenth of each year, an estimate of the sum that will be required to meet the expenses of the schools for the following year, specifying separately the amount for salaries, subsistence, clothing, bedding, fuel, repairs, and incidentals, together with an estimate of the probable income from all sources.

SECT. 16. An annual appropriation shall be made from the treasury for the support of the schools; and all income and receipts from any source shall be paid quarterly to the treasurer of the Commonwealth.

SECT. 17. The trustees shall provide employment for the inmates; and they may indenture, or place in charge of any person, or discharge or remand any child who is an inmate of either of the schools, or in their custody or care. They shall

have the power to admit children to the State Industrial School at Monson, and to transfer thereto such children committed to the State Industrial Schools at Westborough or Lancaster as may not need restraint therein: such transfer shall suspend their sentence to such schools; and they may return them thereto if they again need the discipline of said schools. The mittimus shall accompany the child whenever transferred or returned. No child above the age of seventeen years shall be received or retained in the State Industrial School at Monson, except by a special vote of the trustees, based upon urgent reasons for such admission or retention. The trustees shall cause the children under their charge to be instructed in piety and morality, and in such branches of useful knowledge and labor as are adapted to their age, sex, capacity, or disposition, or in such arts or trades as may seem best adapted to secure the reformation, amendment, and future benefit of such children. They may indenture, or place in charge of any person, children committed to the schools, or their custody, until they become twenty-one years of age, or for any less time. The trustees, and the master or mistress, and the apprentice or child, shall respectively have the rights and privileges, and be subject to the duties, set forth in chapter one hundred and eleven of the General Statutes, in the same manner as if such indenture was made by overseers of the poor.

SECT. 18. The said board of trustees for the State Industrial Schools, shall be successors to, and shall hold all the trusts, be subject to the same duties and liabilities, and have all the powers and privileges heretofore held or exercised by, the boards of trustees and the treasurers of the State Reform and State Industrial Schools, and by the inspectors of the State Primary School, except as otherwise provided in this Act. They shall succeed to the custody and care of all persons heretofore committed to the Board of State Charities, by the provisions of and the proceedings under section ten of chapter

three hundred and fifty-nine of the Acts of the year eighteen hundred and seventy, or subsequent acts. They shall be subject to the same duties and liabilities, and have all the powers and privileges, heretofore held or exercised by said board in the custody and care of said children. They shall be subject to the same duties and liabilities, and have all the powers and privileges, now vested in the visiting agent under chapter three hundred and fifty-nine, Acts of eighteen hundred and seventy, or subsequent Acts; and they shall select such officers for the purpose of carrying into effect the provisions of said Acts as they may determine, and they shall fix and determine the salaries of said officers. The trustees shall not receive compensation for their services, but shall be allowed all expenses incurred by them in the discharge of their duties.

STATE ALMSHOUSES.

SECT. 19. The State Workhouse at Bridgewater is hereby discontinued, except that it shall still be considered as such State Workhouse for the serving out of the unexpired sentences of persons heretofore committed thereto; and the buildings now occupied for the purpose of a workhouse shall be used as a State Almshouse for men, and the State Almshouse at Tewksbury shall hereafter be used as an almshouse for women; and all male pauper inmates at the said State Almshouse at Tewksbury (excepting those in the asylum for the insane) shall, as soon as practicable, be transferred to the State Almshouse at Bridgewater in the manner provided in this Act. No further commitments to the State Workhouse shall be made after the passage of this Act: but nothing shall terminate the unexpired sentences of persons heretofore committed thereto, except as provided in this Act.

SECT. 20. The government of the State Almshouses shall be vested in a board of five trustees (two of whom shall be women), appointed and commissioned by the governor with

the advice and consent of the council, and subject to removal only for sufficient cause. The trustees so appointed shall hold their offices for five years: *provided*, that the terms of office of the five first appointed shall be so arranged that the term of one shall expire each year, and the vacancies so created, as well as all vacancies occurring otherwise, shall be filled by the governor with the advice and consent of the council. The inspectors of the State Almshouse at Tewksbury and the State Workhouse at Bridgewater shall continue to hold their offices until the terms thereof expire according to the provisions of this Act. The title of said board shall be "Trustees of the State Almshouses."

SECT. 21. They shall take charge of the general interests of the State almshouses, and also of the asylum for the insane at Tewksbury, and see that their affairs are conducted according to the requirements of law, and the by-laws and regulations which they shall establish for the internal government and economy thereof, and for the proper discipline of persons therein. They shall appoint a superintendent for each almshouse, and shall appoint, or make provision in their by-laws for appointing, for the said institutions under their charge, such officers as, in their opinion, may be necessary for conducting efficiently and economically the business of said almshouses and said asylum for the insane at Tewksbury, and may remove such officers at pleasure, and they shall determine the salaries of all the officers. All their appointments shall be made with such restrictions and for such terms as the by-laws may prescribe.

SECT. 22. The salaries of the superintendents, and all officers and employés of the almshouses, and all bills for supplies, and for other expenditures for said almshouses, shall be paid monthly from the treasury of the Commonwealth, to such person as may be designated by the board of trustees, the same having first been certified by the auditor of said Commonwealth. The several bills and pay-

rolls shall be certified and approved by the trustees, and a record of all bills and pay-rolls shall be kept by them, and the originals deposited with the auditor of the Commonwealth, as vouchers.

SECT. 23. There shall be thorough monthly visitations of each almshouse by one or more of the trustees thereof, and quarterly by a majority of them, and semi-annually by the whole board, and as often, in addition thereto, as their by-laws may prescribe. At the annual meeting, which shall be held between the first and fifteenth days of October, a full and detailed report shall be made, exhibiting a particular statement of the condition of the almshouses and all their concerns, with a list of the salaried officers and their salaries, a full statement of the receipts and expenditures, and, in a tabular form, under the heads specified in section eleven of chapter five, General Statutes, the value of the stock and supplies; which report shall be made up to the thirtieth day of September inclusive, and shall be transmitted in manuscript to the governor and council, on or before October fifteenth, for the use of the government.

SECT. 24. The trustees shall report to the secretary of state, on or before December fifteenth of each year, an estimate of the sum that will be required to meet the expenses of the almshouses for the following year, specifying separately the amount for salaries, subsistence, clothing, bedding, fuel, repairs, and incidentals, together with an estimate of the probable income from all sources.

SECT. 25. An annual appropriation shall be made from the treasury for the support of the almshouses, and all income and receipts from any source shall be paid quarterly to the treasurer of the Commonwealth.

SECT. 26. The trustees shall cause to be transferred to the State Almshouse at Bridgewater, all the male paupers at the State Almshouse at Tewksbury (except the inmates of the asylum for the insane); but they may from time to time

select for support at either of the almshouses any State paupers whose labor in domestic or other service may contribute to the cost of their support, or whose maintenance at the same may, for special reasons, be deemed expedient. They shall have the power to discharge pauper inmates, and the same power of discharging persons confined for any cause at the State Almshouse at Bridgewater, whose terms of sentence remain unexpired, that county commissioners have in houses of correction, and the power to apprentice persons committed thereto, under the provisions of sections twenty-eight and thirty-five of chapter one hundred and sixty-five of the General Statutes. They shall fix the sum per week which any city or town shall pay for the support of any persons heretofore committed to the State Workhouse under the provisions of section one, chapter two hundred and fifty-eight, Acts of eighteen hundred and sixty-nine, who has a legal settlement in such city or town; and they may, upon the written request of the overseers of the poor of any city or town, permit such person to be transferred to the workhouse of his place of settlement, there to serve out the remainder of his sentence. They shall also have the power to indenture, or place in charge of any person, minors who are inmates of the institutions under their charge. They may contract with any person for the employment of any inmate thereof in any kind of lawful labor, for such wages or on such terms as they deem expedient. When a contract is so made, such inmate shall be discharged from the institution, and, if he refuses to avail himself of the employment offered, shall forfeit all claim to support as a State pauper; and all and singular of the duties not otherwise provided for, devolving upon the inspectors of said institutions respectively, shall devolve upon the board of trustees created by this act. The trustees shall not receive compensation for their services, but shall be allowed all expenses incurred by them in the discharge of their duties.

SECT. 27. The several cities and towns may, at their own expense, send to be maintained at the public charge to the State Almshouse at Tewksbury all female paupers, and to the State Almshouse at Bridgewater all male paupers, who may fall into distress therein, not having a settlement within the Commonwealth: *provided*, that whenever the distance between such city or town and the State Almshouse, by the usual route, exceeds thirty miles, the city or town shall be reimbursed by the Commonwealth, upon bills approved by the State Board of Charities, for the expense of transportation in excess of thirty miles, at a rate not exceeding three cents a mile by the usual route, for each State pauper thus sent.

STATE BOARD OF CHARITIES.

SECT. 28. The boards of trustees hereinbefore established shall each, at its annual meeting, elect a chairman; and the chairmen of the several boards of trustees, so elected, are hereby constituted a State Board of Charities. The said board shall attend to the examination of paupers and lunatics, to ascertain their places of settlement and means of support, or who may be responsible therefor; the removal of paupers and lunatics to their usual homes; the prosecution of cases of settlement and bastardy; the collection of emigrant head-money, and the bonding of suspicious persons; and all and singular the duties now devolved by law upon the general agent of the Board of State Charities. The present Board of State Charities shall continue to hold their offices until the terms thereof expire according to the provisions of this Act.

SECT. 29. The State Board of Charities shall appoint a general agent of State charities, who shall be the executive officer of the board; and they shall also appoint all necessary assistants, and determine all salaries. The board shall succeed to the books and papers of the Board of State Char-

ities, and shall be provided with suitable rooms at the State House; the board shall make its own by-laws, and shall hold meetings once each month, and at such times as may be expedient, and shall make a full report of their doings in manuscript to the governor and council on or before October fifteenth of each year, for the use of the government. Said report shall be made up to the thirtieth day of September inclusive.

SECT. 30. On application of the trustees of the State Industrial Schools, the State Board of Charities may cause any pupil of the State Industrial School at Monson, or any inmate thereof, whom the trustees deem unfit subjects therefor, to be transferred to either of the State Almshouses, and the trustees of the State Almshouses are hereby authorized to receive and hold the persons so transferred. The State Board of Charities shall transfer to the board of trustees of the State Industrial Schools from the State Almshouses, from time to time, all such children as are of suitable condition of body or mind to receive instruction, and at the same time are likely to continue for a period of six months under the care of the State; and especially such as are orphans, or have been abandoned by their parents, or whose parents have been convicted of crime, or come within any description of persons contained in section twenty-eight of chapter one hundred and sixty-five of the General Statutes; and the trustees of the State Industrial Schools are hereby authorized to receive the children so transferred.

SECT. 31. On application of the trustees of the State Hospitals for the Insane, the State Board of Charities shall cause to be removed from the hospitals, to the asylum for the insane at Tewksbury, all State patients whom the trustees shall deem fit subjects therefor; and the trustees of the State Almshouses are hereby authorized to receive such persons. Whenever the State Board of Charities shall have reason to believe that any insane person, not incurable, is deprived of

proper remedial treatment, and is confined in any almshouse or other place, whether such insane person is a public charge or otherwise, it shall cause application to be made to one of the judges of the supreme judicial, superior, or probate courts, for the commitment of such person to a hospital in a manner prescribed by law. The members of the State Board of Charities shall not receive compensation for their services, but shall be allowed all expenses incurred by them in the discharge of their duties.

SECT. 32. The State Board of Charities shall cause to be collected by their general agent all moneys now provided by law to be collected by the Board of State Charities, or the general agent thereof, and also all bills for the board of city, town, and private patients, who are inmates of the several hospitals for the insane, and the amounts collected shall be paid quarterly into the treasury of the Commonwealth; and the expenses for the support of lunatics, not having known settlements in this State, committed to the hospitals, may afterwards be recovered, by the same authority, of the lunatics themselves, if of sufficient ability to pay the same, or of any person or kindred obligated by law to maintain them, or of the place of their settlement if any such is ascertained. The general agent shall give bond to the treasurer of the Commonwealth, with sufficient sureties, for the faithful performance of his duties, in such sum as may be required by the State Board of Charities.

STATE PRISON FOR MEN.

SECT. 33. The government of the State Prison shall be vested in a board of three trustees, appointed and commissioned by the governor, with the advice and consent of the council, and subject to removal only for sufficient cause. The trustees so appointed shall hold their offices for three years: *provided*, that the terms of office of the three first appointed shall be so arranged that the term of one shall

expire each year, and the vacancies so created, as well as all vacancies occurring otherwise, shall be filled by the governor, with the advice and consent of the council. The inspectors of the State Prison, now in office, shall continue to hold their offices until the terms thereof expire, according to the provisions of this Act. The title of said board shall be "Trustees of the State Prison for Men."

SECT. 34. The said trustees shall take charge of the general interests of the State Prison, and see that its affairs are conducted according to the requirements of law. They shall establish rules and regulations consistent with the laws of the State for the direction of the officers of the prison in the discharge of their duty to the government, employment and discipline of the convicts, and the custody and preservation of the public property. They shall appoint a warden, and appoint, or make provision in their by-laws for appointing, such other officers as in their opinion may be necessary, for conducting efficiently and economically the business of the prison, and for the proper government and discipline of the convicts therein confined; and they shall determine the salaries of all the officers. All their appointments shall be made with such restrictions and for such terms as their by-laws may prescribe.

SECT. 35. The salaries of the warden and other officers of the prison, and all bills for supplies and for other expenditures for said prison, shall be paid monthly from the treasury of the Commonwealth, to such person as may be designated by the board of trustees, the same having first been certified by the auditor of said Commonwealth. The several bills and pay-rolls shall be certified and approved by the trustees; and a record of all bills and pay-rolls shall be kept by them, and the originals deposited with the auditor of the Commonwealth as vouchers.

SECT. 36. There shall be thorough monthly visitations of the Prison by one or more of the trustees thereof, quarterly

by a majority of them, and semi-annually by the whole board, and as often in addition thereto as their by-laws may prescribe. At the annual meetings, which shall be held between the first and fifteenth days of October, a full and detailed report shall be made, exhibiting a particular statement of the condition of the prison and all its concerns, with a list of the salaried officers and their salaries, a full statement of all income and expenditures, a copy of all contracts, and in a tabular form, under the heads specified in section eleven, chapter five, General Statutes, the value of the stock and supplies; which report shall be made up to the thirtieth day of September inclusive, and shall be transmitted in manuscript to the governor and council, on or before October fifteenth, for the use of the government.

SECT. 37. The trustees shall report to the secretary of state, on or before December fifteenth of each year, an estimate of the sum that will be required to meet the expenses of the prison for the following year, specifying separately the amount for salaries, subsistence, clothing, bedding, fuel, repairs, and incidentals, together with an estimate of the probable income from labor, and from all other sources.

SECT. 38. An annual appropriation shall be made from the treasury for the support of the prison, and all receipts from labor of prisoners, and from all sources, shall be paid monthly to the treasurer of the Commonwealth.

SECT. 39. The board of trustees shall be subject to the same duties, and have all the powers and privileges, exercised by the board of inspectors of the State Prison; and all the duties now required and vested by law in the warden of the state prison shall devolve upon the warden, except as otherwise provided by this Act, subject to the approval of the board of trustees. The trustees shall not receive compensation for their services, but shall be allowed all expenses incurred by them in the discharge of their duties.

STATE PRISON FOR WOMEN.

SECT. 40. The government of the State Prison for Women shall be vested in a board of five trustees (three of whom shall be women), appointed and commissioned by the governor, with the advice and consent of the council, and subject to removal only for sufficient cause. The persons so appointed shall hold their offices for five years: *provided*, that the terms of office of the five first appointed shall be so arranged, that the term of one shall expire each year, and the vacancies so created, as well as all vacancies occurring otherwise, shall be filled by the governor with the advice and consent of the council. The commissioners of prisons now in office shall continue to hold their offices until the terms thereof expire according to the provisions of this Act. The title of said board shall be "Trustees of the State Prison for Women."

SECT. 41. The said trustees shall take charge of the general interests of the State Prison for Women, and see that its affairs are conducted according to the requirements of law. They shall establish rules and regulations consistent with the laws of the State, for the direction of the officers of the prison, in the discharge of their duty, and for the government, employment, and discipline of the convicts therein, and the custody and preservation of the property connected with said prison; and they shall cause provision to be made in said prison or its dependencies, for keeping the convicts therein, employed in some useful labor suited to their respective capacities. They shall appoint a superintendent, and appoint, or make provision in their by-laws for appointing, such other officers as in their opinion may be necessary for conducting efficiently and economically the business of the prison, and for the proper government and discipline of the convicts therein confined, and all necessary male servants, or hired laborers, and they shall determine the salaries of all officers and employés. Either

men or women may be appointed as officers, at the discretion of the trustees. All their appointments shall be made with such restrictions and for such terms as their by-laws may prescribe.

SECT. 42. The salaries of the superintendent and other officers of the prison, and all bills for supplies and for other expenditures for said prison, shall be paid monthly from the treasury of the Commonwealth, to such person as may be designated by the board of trustees, the same having first been certified by the auditor of said Commonwealth. The several bills and pay-rolls shall be certified and approved by the trustees, and a record of all bills and pay-rolls shall be kept by them, and the originals deposited with the auditor of the Commonwealth, as vouchers.

SECT. 43. There shall be thorough monthly visitations of the prison, by one or more of the trustees thereof, quarterly by a majority of them, and semi-annually by the whole board, and as often in addition thereto as their by-laws may prescribe. At the annual meeting, which shall be held between the first and fifteenth days of October, a full and detailed report shall be made, exhibiting a particular statement of the condition of the prison and all its concerns, with a list of the salaried officers and their salaries, a full statement of all income and expenditures, a copy of all contracts, and in a tabular form, under the heads specified in section eleven, chapter five, General Statutes, the value of the stock and supplies; which report shall be made up to the thirtieth day of September inclusive, and shall be transmitted in manuscript to the governor and council, on or before October fifteenth, for the use of the government.

SECT. 44. The trustees shall report to the secretary of state, on or before December fifteenth of each year, an estimate of the sum that will be required to meet the expenses of the prison for the following year, specifying separately the amount for salaries, subsistence, clothing, bedding, fuel,

repairs, and incidentals, together with an estimate of the probable income from all sources.

SECT. 45. An annual appropriation shall be made from the treasury for the support of the prison, and all receipts from all sources shall be paid monthly to the treasurer of the Commonwealth.

SECT. 46. The trustees shall have the same power of discharging persons confined for any cause, and also all powers in relation to this prison, that county commissioners have in relation to houses of correction.

They shall have the same power of transferring female prisoners, held under sentence in any jail or house of correction in the Commonwealth, or in the House of Industry at Deer Island, to the State Prison for Women, heretofore held and exercised by the commissioners of prisons, and also the same rights and privileges heretofore held or exercised by the Advisory Board of Women to said commissioners, in relation to visitation of all jails and houses of correction where women are committed.

GENERAL PROVISIONS.

SECT. 47. The several state institutions shall be visited by the governor and council annually, and as much oftener as they think proper, for the purpose of examining into their concerns and ascertaining their condition, and shall inquire into all neglects of duty on the part of the several boards of trustees.

SECT. 48. All the reports and returns now required by law to be made to the Board of State Charities, or the secretary of said board, shall hereafter be made to the secretary of the Commonwealth, except as otherwise provided in this act.

SECT. 49. All the reports and returns now required by law to be made to the commissioners of prisons, shall hereafter be made to the secretary of the Commonwealth, except as otherwise provided in this act.

SECT. 50. Section three of chapter ninety-two, of the Acts of the year one thousand eight hundred and seventy, is hereby amended by striking out the words "State Charities" where they occur, and substituting therefor the words "trustees of the State Industrial Schools;" section ten, of chapter three hundred and fifty-nine, of the Acts of the year one thousand eight hundred and seventy, is hereby amended by striking out the words "State Charities," and substituting therefor the words "trustees of the State Industrial Schools;" section seven, of chapter two hundred and sixty-two, of the Acts of the year one thousand eight hundred and seventy-three, is hereby amended by striking out the words "State Charities" where they occur therein, and substituting therefor the words "trustees of the State Industrial Schools;" also, by striking out the words "inspectors of said schools," and substituting therefor the words "said board;" and the power to transfer and commit children provided in chapter three hundred and sixty-five, of the Acts of the year one thousand eight hundred and seventy-one, is hereby given to said board. Chapter three hundred and sixty-five, of the Acts of the year one thousand eight hundred and seventy-one, is hereby amended by striking out the last two lines in the chapter. Section one, of chapter one hundred and twenty-one, of the Acts of the year one thousand eight hundred and seventy-six, is hereby amended in the fifth line by striking out the words "general agent of State Charities," and substituting therefor the words "Trustees of the State Industrial Schools," and in the eighth line by striking out the words "State Charities," and substituting therefor the words "trustees of the State Industrial Schools."

Section one, of chapter one hundred and sixty-two, of the Acts of the year one thousand eight hundred and sixty-five, is hereby amended by striking out the words "Board of State Charities," and substituting therefor the words "State

Board of Charities ;” and section two of the same Act is hereby amended by striking out the words “agent of the Board of State Charities,” and substituting therefor the words “State Board of Charities ;” section two, of chapter two hundred and fifty-one, of the Acts of the year one thousand eight hundred and sixty-nine, is hereby amended by striking out the words “Board of State Charities,” and substituting therefor the words “State Board of Charities ;” sections one and two, chapter one hundred and thirty-six, of the Acts of the year one thousand eight hundred and seventy, are hereby amended by striking out the words “Board of State Charities” where they occur therein, and substituting therefor the words “State Board of Charities ;” section two of chapter one hundred and twenty-one, and section one of chapter one hundred and seventy, of the Acts of the year one thousand eight hundred and seventy-four, are hereby amended by striking out the words “Board of State Charities” where they occur therein, and substituting therefor the words “State Board of Charities ;” chapter seventy, of the Acts of the year one thousand eight hundred and seventy-five, is hereby amended by striking out the last three lines in the chapter.

Section one, of chapter three hundred and twenty-one, of the Acts of the year one thousand eight hundred and seventy, is hereby amended by striking out the words “of either.”

SECT. 51. Sections thirty-two, thirty-three, thirty-four, forty-five, forty-eight, fifty-four, and fifty-five, chapter seventy-one ; sections one, two, three, four, five, six, seven, and twenty-six, chapter seventy-three ; sections one, two, three, four, fifteen, twenty, twenty-one, twenty-two, twenty-three, and twenty-five, chapter seventy-five ; sections one, two, three, four, five, six, seven, eight, nine, ten, eleven, twenty-eight, and twenty-nine, chapter seventy-six ; sections four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty-three,

twenty-five, twenty-six, twenty-eight, twenty-nine, thirty, thirty-one, forty-seven, forty-nine, fifty, fifty-nine, sixty-one, and sixty-two, chapter one hundred and seventy-nine, of the General Statutes; chapter two hundred and forty of the Acts of the year one thousand eight hundred and sixty-three; sections seven and twelve, chapter two hundred and eighty-eight; and chapter three hundred and three of the Acts of the year one thousand eight hundred and sixty-four; chapter one hundred and ninety-eight; and sections two, three, four, five, six, seven, eight, and nine, chapter two hundred and nine, of the Acts of the year one thousand eight hundred and sixty-six; chapters twelve and two hundred and fifty-eight of the Acts of the year one thousand eight hundred and sixty-nine; chapter nineteen; section one, chapter one hundred and five; chapters two hundred and forty-three; two hundred and eighty-eight; section one, chapter three hundred and fifty-nine; and chapter three hundred and eighty-four, of the Acts of the year one thousand eight hundred and seventy; chapter three hundred and one; and section six, chapter three hundred and twenty-one, of the Acts of the year one thousand eight hundred and seventy-one; chapter forty-five; and section six, chapter sixty-eight, of the Acts of the year one thousand eight hundred and seventy-two; chapters ninety-four; and one hundred and sixty-six, of the Acts of the year one thousand eight hundred and seventy-three; chapter one hundred and thirty-three; and sections four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, sixteen, twenty, twenty-two, twenty-three, and twenty-four, chapter three hundred and eighty-five, of the Acts of the year one thousand eight hundred and seventy-four; chapter fourteen; section three, chapter sixty-one; chapter ninety-six; section two, chapter one hundred and twenty-one; and chapter one hundred and seventy-nine, of the Acts of the year one thousand eight hundred and seventy-six; chapter one hundred and ninety-five;

and section one, chapter two hundred and fifty-two, of the Acts of the year one thousand eight hundred and seventy-seven ; and all Acts or parts of Acts inconsistent with this Act are hereby repealed.

NUMBER TWO.

AN ACT CONCERNING THE SETTLEMENT
OF PAUPERS.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

SECTION 1. Legal settlements may be acquired in any city or town, so as to oblige such place to relieve and support the persons acquiring the same, in case they are poor and stand in need of relief, in the manner following, and not otherwise, namely:—

First.—A married woman shall follow and have the settlement of her husband, if he has any within the State; otherwise her own at the time of the marriage, if she then had any, shall not be lost or suspended by the marriage.

Second.—Legitimate children shall follow and have the settlement of their father, if he has any within the State, until they gain a settlement of their own; but if he has none, they shall in like manner follow and have the settlement of their mother, if she has any.

Third.—Illegitimate children shall follow and have the settlement of their mother, at the time of their birth, if she then has any within the State; but neither legitimate nor illegitimate children shall gain a settlement by birth, in the place where they may be born, if neither of their parents then has a settlement therein.

Fourth.—Any person of the age of twenty-one years, having an estate of inheritance or freehold in any place within the State, and living on the same three years successively, shall thereby gain a settlement in such place.

Fifth.—Any person of the age of twenty-one years, who resides in any place within this State for five years together, and pays all State, county, city, or town taxes, duly assessed on his poll or estate, for any three years within said time, shall thereby gain a settlement in such place.

Sixth.—Any woman of the age of twenty-one years, who resides in any place within this State for five years together, without receiving relief as a pauper, shall thereby gain a settlement in such place.

Seventh.—Any person being chosen, and actually serving one whole year in the office of clerk, treasurer, selectman, overseer of the poor, assessor, constable, or collector of taxes, in any place, shall thereby gain a settlement therein. For this purpose, a year shall be considered as including the time between the choice of such officers at one annual meeting, and the choice at the next annual meeting, whether more or less than a calendar year.

Eighth.—Every settled ordained minister of the gospel shall be deemed to have acquired a legal settlement in the place wherein he is or may be settled as a minister.

Ninth.—A minor who serves an apprenticeship to a lawful trade for the space of four years in any place, and actually sets up such trade therein within one year after the expiration of said term, being then twenty-one years old, and continues there to carry on the same for five years, shall thereby gain a settlement in such place; but being hired as a journeyman shall not be considered as setting up a trade.

Tenth.—Any person who shall have been duly enlisted and mustered into the military or naval service of the United States, as a part of the quota of any city or town in this Commonwealth, under any call of the President of the

United States during the late civil war, or duly assigned as a part of the quota thereof, after having been enlisted and mustered into said service, and shall have duly served for not less than one year, or shall have died, or become disabled from wounds or disease received or contracted while engaged in such service, or while a prisoner in the hands of the enemy, and the wife or widow and minor children of such person shall be deemed thereby to have acquired a settlement in such place; and any person who would otherwise be entitled to a settlement under this clause, but who was not a part of the quota of any city or town, shall, if he served as a part of the quota of this Commonwealth, be deemed to have acquired a settlement in the place where he actually resided at the time of his enlistment; but these provisions shall not apply to any person who shall have enlisted and received a bounty for such enlistment in more than one place, unless the second enlistment was made after an honorable discharge from the first term of service, nor to any person who shall have been proved guilty of wilful desertion, or to have left the service otherwise than by reason of disability or an honorable discharge.

Eleventh. — Upon the division of a city or town, every person having a legal settlement therein, but being absent at the time of such division, and not having acquired a legal settlement elsewhere, shall have his legal settlement in that place wherein his last dwelling-place or home happens to fall upon such division; and when a new city or town is incorporated, composed of a part of one or more incorporated places, every person legally settled in the places of which such new city or town is so composed, and who actually dwells and has his home within the bounds of such new city or town at the time of its incorporation, and any person duly qualified as provided in the tenth clause of this section, who at the time of his enlistment dwelt and had his home within such bounds, shall thereby acquire a legal settlement in such

new place: *provided*, that no persons residing in that part of a place, which upon such division shall be incorporated into a new city or town, having then no legal settlement therein, shall acquire any by force of such incorporation only; nor shall such incorporation prevent his acquiring a settlement therein, within the time and by the means by which he would have gained it there, if no such division had been made.

SECT. 2. No person who has begun to acquire a settlement by the laws in force, at and before the time when this Act takes effect, in any of the ways in which any time is prescribed for a residence, or for the continuance or succession of any other Act, shall be prevented or delayed by the provisions of this act; but he shall acquire a settlement by a continuance or succession of the same residence, or other act, in the same time and manner as if the former laws had continued in force.

SECT. 3. Except as hereinafter provided, every legal settlement shall continue till it is lost or defeated by acquiring a new one within this State; and upon acquiring such new settlement all former settlements shall be defeated and lost.

SECT. 4. All settlements acquired by virtue of any provision of law in force prior to the eleventh day of February, in the year one thousand seven hundred and ninety-four, except where the existence of such settlement prevented a subsequent acquisition in the same place, are hereby defeated and lost. And whenever a settlement acquired by marriage has been thus defeated, the former settlement of the wife, if not defeated by the same provision, shall be deemed to have been thereby revived.

SECT. 5. Chapter sixty-nine of the General Statutes; chapter two hundred and eighty-eight of the Acts of the year one thousand eight hundred and sixty-six; section one, of chapter three hundred and twenty-eight, of the Acts of the year one thousand eight hundred and sixty-eight; chap-

ter three hundred and ninety-two, of the acts of the year one thousand eight hundred and seventy; chapter three hundred and seventy-nine, of the Acts of the year one thousand eight hundred and seventy-one; chapter two hundred and eighty, of the Acts of the year one thousand eight hundred and seventy-two; and chapter two hundred and seventy-four, of the acts of the year one thousand eight hundred and seventy-four, are hereby repealed; saving all acts done, or rights accruing, accrued, or established, or proceedings, doings, or acts, ratified or confirmed, or suits or proceedings had or commenced before the repeal takes effect.

